

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Your Meeting with Representative English on 20 March 1981

FROM: Thomas H. White
 Director of Information Services
 1206 Ames

EXTENSION

NO.

81-0611

DATE

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TO: (Officer designation, room number, and building)

DATE

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COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

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Meeting with Cong. English
 20 March 1981 1345

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cc: ADDA

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19 MAR 1981

MEMORANDUM FOR: Deputy Director for Administration

FROM: Thomas H. White
Director of Information Services

SUBJECT: Your Meeting with Representative English on 20 March 1981

1. You are scheduled to meet with Rep. Glenn English (D., Okla.) for 15 minutes on Friday, 20 March, at 1:45 p.m. Rep. English is Chairman of the House Government Operations Subcommittee on Privacy and Individual Rights. His Subcommittee has oversight jurisdiction over the Freedom of Information Act (FOIA). He is visiting the Agency to get briefed on the problems we have with the FOIA. He will be accompanied by William Lawrence, the Subcommittee Staff Director.

2. Prior to your meeting, Rep. English will have met for 15 minutes with Director Casey and with Fred Hitz, the Legislative Counsel. After your meeting, Rep. English will be briefed in considerable detail by myself and others on the effect of the FOIA on CIA.

3. Rep. English is not new to the Agency. He has received previous briefings on other subjects and appears to be well disposed toward intelligence. Since you are fairly new to Government service, you could not be expected, given your other responsibilities, to have a firm grasp on the FOIA problem at this point. I would therefore suggest that in the short time available you hit only a couple of points: your responsibilities as the DDA for the overall management of the FOIA program and the resource implications flowing from the Act.

4. With respect to your responsibilities, the DDA is responsible for insuring compliance with the FOIA. The Agency's FOIA Coordinator is located in OIS and is also the Chief, Information and Privacy Division. In addition, you chair the Information Review Committee which is the Agency-wide body that sets overall policy with respect to FOIA, Privacy and Executive Order 12065 requests and makes decisions on appeals.

5. With respect to resource implications, I think the main point to make is that the economic climate of today coupled with the need for more and better intelligence, makes it frustrating to see more and more resources being applied in an area that has nothing to do with our primary mission. Attached hereto is a page out of our Congressional Budget Package for FY 82 which sets forth more detail with respect to resources. You should be aware that the

attachment speaks to FOIA, Privacy Act and Executive Order 12065 matters and that FOIA is only about half of the total.

6. I will be available to sit in on your meeting if you wish.

[Redacted]

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Thomas H. White

Attachments

A. Excerpt from Budget Package

[Redacted]

C. Agenda

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PROBLEMS COMPLYING WITH THE FREEDOM OF INFORMATION AND PRIVACY ACTS
AND THE MANDATORY CLASSIFICATION REVIEW PROVISIONS OF E.O. 12065

From January 1975 through the end of FY 1980, the CIA has received a total of 25,320 requests submitted under the Freedom of Information and Privacy Acts, or the mandatory classification review provisions of Executive Order 12065 and its predecessor, E.O. 11652. The resultant effect has been our inability to comply with the statutory limitations imposed on response times. In addition to the volume and complexity of the requests received, the necessary compartmented and decentralized Agency's systems of records, the Director's statutory obligation to protect intelligence sources and methods, and the extreme sensitivity of the information contained in our files have made it necessary to divert considerable manpower resources to processing requests. Thus far in CY 1980, for example, we have been devoting manpower equivalent to full-time employees to this work. While some of these employees are working full time on requests, administrative appeals and litigation, hundreds of other employees are required to devote a portion of their time to searching for records responsive to requests, or to reviewing and sanitizing documents for release.

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Despite our significant and growing resource commitment, we have been unable to keep up with the request workload, much less comply with the statutory deadlines for responses dictated by the FOIA. The processing backlog for initial requests is now in excess of 3,000 cases and, for administrative appeals, almost 400 cases. Moreover, approximately 90 court cases are pending. The latter backlog is of particular concern inasmuch as litigation requirements, because of court-imposed deadlines, divert manpower from the processing of initial requests and appeals, thereby further delaying these responses. Our delays, in turn, have often led to additional litigation. More manpower is obviously needed, yet we believe that we have just about reached the limit of the human resources that can be committed without detracting from the Agency's ability to carry out its foreign intelligence mission.

Additionally, relatively few of the requests processed have resulted in the release of a substantial amount of information of benefit to the general public. In fact, the laborious review of hundreds or thousands of pages of material has in many instances led to the release of little more than fragmentary and sometimes inaccurate raw intelligence information, which, rather than enlightening the public, has sometimes resulted in highly publicized misinterpretations of what actually occurred. Moreover, as the Deputy Director of Central Intelligence has emphasized in appearances before Congressional committees, the application of these disclosure laws to the CIA has caused a serious erosion in the confidence of those persons and organizations on whom we must rely as sources of information in the Agency's ability to protect secrets, despite our assurances to the contrary. This perception problem is one the CIA is living with on a daily basis at a time when we are continually being asked to produce better intelligence for foreign policy makers.

DDIS: (1 Dec 1980)

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AGENDA

Meeting with Representative Glenn English,
Chairman, Subcommittee on Government
Information and Individual Rights,
House Government Operations Committee, and
Mr. William Lawrence, Subcommittee Chief Counsel

20 March 1981
Headquarters Building

1:00 Congressman English and Mr. Lawrence
arrive in the company of [REDACTED]
Associate Legislative Counsel

1:15-1:30 Meeting with Frederick P. Hitz,
Legislative Counsel (7D45)

1:30-1:45 Meet with Mr. William Casey,
Director of Central Intelligence (7D60)

1:45-2:00 Meet with Mr. Max Hugel, Deputy Director
for Administration (7D24)

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DDA CONFERENCE ROOM

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2:00-2:15 Overview: CIA and the Freedom of Information Act
Thomas H. White, Director of Information Services

2:15-2:45 Administration of the Freedom of Information Act
[REDACTED] CIA Coordinator for Freedom of
Information and Privacy

2:45-3:15 Implications of the FOIA on Operations
William Donnelly, Chief, Information
Management Staff

3:15-3:45 Litigation Under Freedom of Information Act
[REDACTED] Deputy General Counsel

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